35 USC §103(a)

The Examiner has rejected the claims under 35 USC §103 over Davis, *et al.* (U.S. Patent 5,378,348). Applicants have amended the claims as suggested by the Examiner. Claims 1, 5 and 15, and all other claims as dependent on claims 1, 5, and 15, incorporate limitations to reflect Applicant's arguments.

Reconsideration of the application as amended is respectfully requested.

Respectfully submitted,

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[X] Pursuant to 37 CFR 1.34(a)

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AMENDED CLAIMS

1 (amended). A distillate fraction useful as a fuel heavier than gasoline or as a blending component for a distillate fuel comprising:

a 250-700°F distillate fraction derived from a Fischer-Tropsch catalytic process, wherein the fraction comprising the majority of oxygen is not hydrotreated, and containing

at least 95 wt% paraffins with an iso to normal ratio of about 0.3 to 3.0,

≤ 50 ppm (wt) each of sulfur and nitrogen,

less than about 2 wt% unsaturates, and

about 0.025 to less than 0.3 wt% oxygen on a water free basis.

2 (amended). The material of claim 1 wherein the oxygen is present primarily as C_{12}-C_{24} linear alcohols.

4 (amended). The material of claim 2 characterized by a cetane number of at least 70.

5 (amended). A process for producing a distillate fuel heavier than gasoline comprising:

(a) separating the wax-containing product of a Fisher-Tropsch process into a heavier fraction containing 700°F+ hydrocarbons and a lighter fraction containing 700°F- hydrocarbons;

(b) further separating the lighter fraction into at least two distillate fractions, (i) at least one fraction containing primary C_{12}-C_{24} linear alcohols and (ii) one or more other fractions;

(c) hydroisomerizing at least a portion of the heavier fraction of step (a) and at least a portion of the (b) (ii) fraction at hydroisomerization conditions and recovering a 700°F- fraction,
wherein the fraction containing primary C_{12}-C_{24} linear alcohols is not hydrotreated;

(d) blending at least a portion of the fraction (b)(i) with at least a portion of the 700°F- fractions of step (c) and recovering a product boiling in the range of 250-700°F which contains 0.0025 to 0.3 wt% C_{12}-C_{24} primary linear alcohol oxygenate, as oxygen on a water free basis.

8 (amended). The product of claim 5.

10. (deleted).

15. A blended fuel, useful as a diesel fuel, comprising:

(a) a 250-700°F distillate fraction derived from the Fischer-Tropsch process, wherein the fraction comprising the majority of oxygen is not hydrotreated, which contains;

at least 95 wt% paraffins with an iso to normal ratio of about 0.3 to 3.0,

≤ 50 ppm (wt) each of sulfur and nitrogen,

less than about 2 wt% unsaturates

about 0.001 to less than 0.3 wt% linear oxygenate, as oxygen on a water free basis,

blended with

(b) a petroleum derived hydrocarbon fraction,
wherein the 250-700°F distillate fraction derived from the Fischer-Tropsch process comprises 10% or more of the blended fuel.

16. A blended fuel according to claim 15 wherein said Fischer-Tropsch process is a non-shifting Fischer-Tropsch catalyst process.

17. A blended fuel according to claim 16 wherein said Fischer-Tropsch catalyst comprises cobalt

18. A blended fuel according to claim 15 wherein said petroleum derived hydrocarbon boils contains feeds of about the same boiling range as the 250-700 F distillate fraction derived from the Fischer-Tropsch process.

19. A blended fuel according to claim 15 or 18 wherein said petroleum derived hydrocarbon is at least one raw or hydrogenated catalytic or thermally cracked distillate and gas oil [selected from the group consisting of raw distillates, raw gas oils, hydrogenated catalytic distillates, hydrogenated catalytic gas oils, thermally cracked distillates, and thermally cracked gas oils].

22. A distillate fraction according to claim 2 containing about 0.025 to about 0.3 wt% oxygen as determined on a water-free basis.